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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,824	10/20/2003	Pascal Gauthier	117466	9911
25944	7590	07/10/2006	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			SALATA, ANTHONY J	
			ART UNIT	PAPER NUMBER
			2837	

DATE MAILED: 07/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/687,824

Applicant(s)

GAUTHIER ET AL.

Examiner

Jonathan Salata

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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Washington, D.C. 20231

Paper No:05252006
Application No:10/687824
Filing Date: October 20,2003

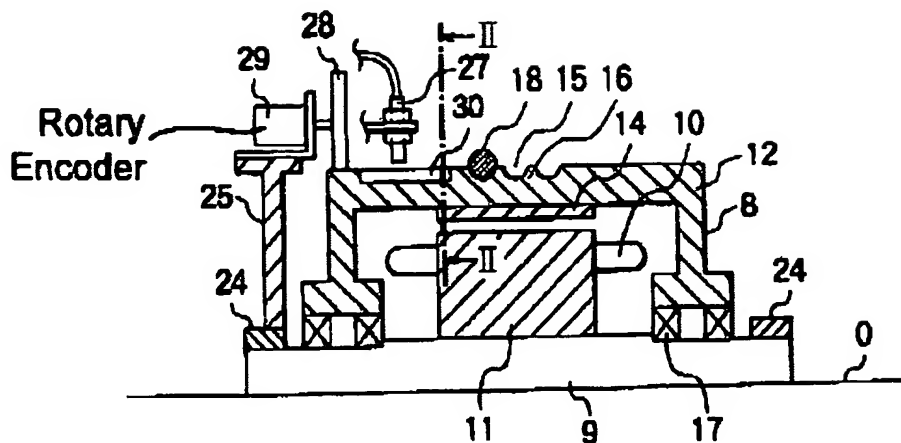
1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3,9,13-17,19 are rejected under 35 U.S.C. 102(e) as being anticipated by Tauchi et al (6328136).

Tauchi et al teaches in figures 1-12, an elevator drive machine.



- 1) Stator 11, rotor 12 which rotates about the stator having tubular shape (see figure 5), and permanent magnets 14 and pulley (sheave) 16.
- 2) Windings on 11 (not shown) and pulley (sheave) 16 which overlies.
- 3) Laminations 14
- 9) Bearings 17.
- 13, 15) Supports 7.
- 14) Elevator car 2.
- 16) Cable (not numbered) between car 2 and counterweight 2 on sheave 8.
- 17) Sheave 16 on shaft 9.
- 19) Solid combined rotor/sheave 12/16

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 7,8,18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tauchi et al and Honda (4960186).

Tauchi et al does not illustrate the specific pulley, rotor structure.

Honda teaches that due to strength and weight considerations, it is advantageous to provide a pulley 14d at one end of an outer rotor 15 of an elevator 8 lifting motor. As illustrated, the sheave is not solid and is placed at one end of the rotor. The grooves do not overlap the stator.

Thus, to utilize the displaced sheave to reduce the weight and increase the strength in an outer rotor hoist for an elevator, would have been an obvious engineering design choice to one of ordinary skill in the art.

5. Claims 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tauchi et al and Honda as applied to claims 7,8 above, and further in view of Tosato et al (4355785) and applicants admitted prior art.

Tauchi et al and Honda do not teach a disk brake for the motor.

Applicant states that conventional brakes may be utilized.

Tosato et al teaches a typical disk brake 58 at the end of a sheave 12 of a hoisting motor. As illustrated, disk 56 is placed at the end.

Thus, to utilize a conventional disk brake as stated by applicant, would have been an obvious engineering design choice to one of ordinary skill in the art.

6. Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tauchi et al and Honda as applied to claims 7,8,18 above, and further in view of Ivanto et al (4771197) and applicants admitted prior art.

Tauchi et al and Honda do not illustrate the specific rotor structure.

Applicant states that the rotor may be made of a solid material as well as optionally made integral with the pulley.

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Ivanto et al teaches in figures 1-2, a squirrel cage motor with an outer rotor for an elevator hoist.

As illustrated, the stator and rotor do not overlap at the heads as well as the cylinder 1 not overlapping the heads of the rotor.

Thus, the option of motor rotor structure would have been an obvious substitution as suggested by applicant.

7. Applicant's arguments filed 3-24-06 have been fully considered but they are not persuasive.

Applicant states that Tauchi et al teaches a "drive sheave 16 entirely surrounding the stator 10,11" as well as "the sheave...must extend all along the stator".

The examiner does not see where this is present in the Tauchi et al disclosure. The claimed invention calls for "a pulley coupled to the rotor and partially overlying the stator".

Tauchi et al clearly illustrates a sheave 16 on (coupled to) the rotor 12 and figure 1 shows the grooves not completely cover the stator.

Honda illustrates applicant's invention except for the fact that the rotor 10 and sheave 14 are not a one piece unit. The rotor must be fastened to the sheave by bolts 10a,10b.

Ivanto et al illustrate the rotor 2 overlapping the stator 3 but an attached sheave 1 and grooves 10 which do not overlap the stator.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

A shortened statutory period for response to this action is set to expire 3 months from the date of this letter.

Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Any inquiry of a **general nature** should be directed to the **Group receptionist whose telephone number is (571) 272-2800.**

Information regarding the STATUS of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or public PARI. Status information for unpublished applications is available through Private PAIR ONLY. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Any questions on access to PAIR, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Papers related to this application may be submitted by facsimile transmission. Papers should be faxed to Group 2800 via the PTO Fax Center. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 O.G. 30 (November 15, 1989). The Fax Center number is (571) 273-8300.

For assistance in **Patent procedure, fees, or general Patent questions** calls should be directed to the **Inventors Assistance Center (IAC) whose telephone number is 800-PTO-9199 or 800-786-9199.** Assistance is also available on the Internet at www.uspto.gov.

For requesting copies of Cited Art, Office Actions or the like, response to Status Letters, lost files or papers or General Problem solving, calls should be directed to the TC 2800 Customer Service Office whose telephone number is 571-272-2800 or by fax at 571-273-8300.

Any inquiry concerning **this communication or earlier communications from the examiner** should be directed to **Jonathan Salata whose telephone number is (571) 272-2073.** The examiner does not have as detailed access as the previously listed numbers with regard to status or general problem solving. The examiner can normally be reached on Monday through Thursday from 7:30 am to 2:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Bradley, can be reached on (571) 272-2800 ext 33.

ajs
May 25, 2006

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JONATHAN SALATA
PRIMARY EXAMINER
ART UNIT 2837